

- I. Claims 1-27, drawn to a collection of lines of transgenic animals containing a single transgene;
- II. Claims 28-31, drawn to a collection of lines of transgenic containing two or more transgenes;
- III. Claims 32-60, drawn to a method of making a collection of lines of transgenic animals containing a single transgene;
- IV. Claims 61-64, drawn to a method of making a collection of lines of transgenic containing two or more transgenes, classified in class 800, subclass 21.
- V. Claims 65-91, drawn to a collection of vectors containing a transgene;
- VI. Claims 92-94, drawn to a collection of vectors containing a transgene and a second sequence;
- VII. Claims 95-123, drawn to a method of making a collection of vectors;
- 8-364. Claims 124, drawn to a transgenic animal comprising a single transgene recited in claim 124 (356 possible genes recited);

- 365-701. Claims 125-134, drawn to a transgenic animal containing a two or more transgenes wherein one gene is selected from the group recited in claim 124;
702. Claims 135-145, drawn to a method of isolating cells from two or more transgenic animals;
703. Claim 146, drawn to a pure population of cells;
704. Claims 147-152, drawn to a method of screening compounds for potential effects on one or more cell types; and
705. Claims 153-158, drawn to a method of screening compounds for potential effects on transgenic animal.

The inventions are stated to be distinct, each from the other.

In order to be fully responsive, Applicant hereby provisionally elects the invention of Group I, Claims 1-27, drawn to a collection of lines of transgenic animals containing a single transgene, classified in class 800, subclass 8, with traversal.

With respect to the Examiner's division of the invention into 705 groups and the reasons stated therefor, Applicant respectfully traverses. In particular, Applicant respectfully requests that the restriction requirement be modified as set forth below.

With regard to Groups I and III and Groups II and IV, the Examiner contends that, though related as product and method of making thereof, the product of Group I is distinct

from the process of Group III and the product of Group II is distinct from the process of Group IV because the product as claimed can be made by materially different processes. Applicant respectfully submits that even though there may be materially different processes by which the compositions of the invention could be made, the method of Group III necessarily produces compositions in the scope of Group I and the method of Group IV necessarily produces compositions in the scope of Group II. Thus, Groups I and III are closely related and should be examined in one application, and Groups II and IV are closely related and should be examined in one application.

Even assuming *arguendo* that Groups I and III and Groups II and IV represented distinct or independent inventions, Applicants submit that to search the subject matter of Groups I and III together or Groups II and IV together would not be a serious burden on the Examiner. The M.P.E.P. § 803 (Eighth Edition, August 2001) states:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

Thus, in view of M.P.E.P. § 803, claims 1-27 and 32-60 should be searched and examined collectively in the subject application and without undue burden on the Examiner.

Accordingly, Applicants respectfully request that the Restriction Requirement Under 35 U.S.C. § 121 be modified to group together the claims of present Groups I and III (claims 1-27 and 32-60, respectively) and Groups II and IV (claims 28-31 and 61-64, respectively).

Applicants retain the right to petition from the restriction requirement under 37 C.F.R. § 1.144.

Applicants respectfully request that the above-made remarks be entered and made of record in the file history of the instant application.

Respectfully submitted,

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Enclosures